

Typical Practice Statements Made by the BON office Updated September 23, 2004

1. Does a nurse need a Montana license to give telephone advice to a Montana resident?

37-8-401 It is unlawful to indicate licensure without a valid license.

37-8-443 (1) It is a misdemeanor for a person (including a corporation, association, or individual) to: (c) practice professional nursing unless duly licensed to do so; (d) practice practical nursing unless duly licensed to do so.

If a nurse is giving advice, the nurse is using the nursing process and therefore practicing nursing. If the patient is in Montana, the nurse is practicing in Montana.

Adopted October 2001

2. Is the performance of blood sugar accuchecks a task that can be taught and assigned to an Unlicensed Assistive Person?

An Unlicensed Assistive Person may be taught and assigned the task of fingerstick testing for blood glucose monitoring.

Adopted October 2001

3. May an unlicensed person administer injections, and can a nurse delegate the task?

37-8-102 (5) "Practice of nursing" embraces two classes of nursing service and activity, as follows:

- (a) "Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.
- (b) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing

analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. As used in this subsection (5)(b):

(i) "nursing analysis" is the identification of those client problems for which nursing care is indicated and may include referral to medical or community resources;

(ii) "nursing intervention" is the implementation of a plan of nursing care necessary to accomplish defined goals.

8.32.1708 Nursing Tasks Related to Administration of Medications That May be Delegated

(3) The following activities related to medication administration may not be delegated except as provided in subsection (4) below:

(b) administration of medications by injection route.

(4) Administration of medication may only be delegated by the nurse as provided in ARM 8.32.1705 and 8.32. 1707 and when limited to: ..."

Only a nurse may administer an injection.

Adopted October 2001

4.Question: What recourse does a nurse have who seeks and receives incorrect clinical practice information and/or guidance from another nurse?

37-8-102 (5) (b) ... Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

Each nurse is responsible for his/her own practice. Any nurse may render an opinion, but if a nurse seeks guidance from another regarding practice, the nurse who is practicing is held accountable.

Adopted October 2001

5. May a nurse teach and assign rewrapping of ACE bandages?

8.32.1705 Criteria for Delegation – Delegation of Nursing Tasks to Unlicensed Persons Shall Comply With The Following Criteria

- (1) The nursing task to be delegated must be within the area of responsibility and scope of practice of the nurse delegating the act.
- (2) The nursing task must be one that a reasonable, prudent nurse would find is within the scope of sound nursing judgment to delegate.
- (3) The nursing task must be one that can be properly and safely performed by the unlicensed person involved without jeopardizing the patient's welfare.
- (4) The nursing task delegated by the nurse must not require the unlicensed person to exercise nursing judgment or intervention except in an emergency situation.

Once a nurse properly trains the UAP to wrap the ACE bandage, it can be safely assigned to an Unlicensed Assistive Person with follow up supervision.

Adopted October 2001

6.Question: May a properly trained LPN insert an NG tube?

7.Question: Is gastric lavage within the scope of the LPN?

37-8-102 (5)

- (1) "Practice of nursing" embraces two classes of nursing service and activity, as follows:

"Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.

A properly trained and competent LPN may insert an NG tube, but the LPN may not perform gastric lavage because the conditions that would warrant gastric lavage would warrant the critical thinking and analytical skills of an RN.

Adopted October 2001

8. May an RN also maintain an LPN license?

A nurse with dual licensure may work in an RN or LPN position; however, the nurse is held accountable to the RN level of knowledge and judgement.

Adopted July 2001

9. Massage therapists are not licensed in MT. May a nurse practice massage therapy; is massage therapy part of nursing practice?

8.32.1104 through 8.32.1107 Curriculum guidelines

Massage therapy is not required in the curriculum of nursing programs approved by the BON. The nurse may include massage in his/her practice, but it is not the practice of nursing.

Adopted February 1998

10. May a nurse accept a faxed or telephone order from a physician or from the physician via an unlicensed person?

The Board of Pharmacy has stated that a physician may use an agent to deliver an order or prescription. The fax machine, email, or an unlicensed person may be the agent of the physician.

Adopted July 2001

11. Question: May an RN offer to “deliver babies” in non emergent settings if that nurse does not hold a midwifery license?

37-8-102 (5) “Practice of nursing” embraces two classes of nursing service and activity, as follows:

(c) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. As used in this subsection (5)(b):

(i) "nursing analysis" is the identification of those client problems for which nursing care is indicated and may include referral to medical or community resources;

(iii) "nursing intervention" is the implementation of a plan of nursing care necessary to accomplish defined goals.

Delivering a baby is a medical procedure requiring the skills of a medical doctor or certified nurse midwife.

Adopted October 2001

12. Is laser therapy within the scope of a nurse?

STANDARDS RELATED TO THE LICENSED NURSE'S ROLE IN COSMETIC PROCEDURES

- (1) The licensed nurse who has the proper training and on-going competence may perform the following tasks and procedures only under the on-site supervision of a physician.
 - (a) lasers;
 - (b) intense pulsed light source therapies;
 - (c) microwave energy;
 - (d) radio frequency;
 - (e) electrical impulse devices;
 - (f) dermatologic procedures employing technologies that cut or alter living tissue; and
 - (g) injections or insertions of the following:
 - (i) botulism toxins;
 - (ii) natural and synthetic collagens;
 - (iii) silicone;
 - (iv) sclerotherapy agents;
 - (v) natural or synthetic filler materials.

Laser therapy is within the scope of practice of a nurse who has the proper training, on-going supervision and on-site supervision of a physician.

Adopted January 2004

13.Question: If a patient is discharged from a facility, and the local pharmacy is closed, may the nurse give the patient enough of a prescribed drug to maintain a blood level until the pharmacy reopens?

A nurse may deliver a pre-marked package from the hospital ER at the order of the ER physician or other licensed medical practitioner with prescriptive authority. As long as the nurse is not the person who packages the drug for the patient. The Boards of Pharmacy, Nursing and Medical Examiners have a joint position statement regarding this issue, and it is available from the Board office upon request.

Adopted October 2001

14. May a nurse give a medication that another nurse has poured or prepared in some other way?

8.32.1404 (b) accept responsibility for individual nursing actions and competence and base practice on validated data,
and

8.32.1407 (2) accept responsibility for nursing actions and competence.

Each nurse is responsible for the care s/he provides to a patient. If a nurse allows another person to pour the medication, that nurse is accepting responsibility for someone else's actions.

Adopted October 2001

15. May an RN place an umbilical line in a neonate?

37-8-102 "Practice of Professional Nursing ... The term also includes ... and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths or podiatrists authorized by state law to prescribe medications and treatments."

This procedure is within the scope of an adequately trained and competent RN.

Adopted November 2000

16. May an adequately trained and competent nurse remove a surgical drain with a physician order?

37-8-102 (5) (b) "Practice of Professional Nursing ... The term also includes ... and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths or podiatrists authorized by state law to prescribe medications and treatments."

This procedure is within the scope of an adequately trained and competent RN.

Adopted February 1999

17. Is suturing within the scope of an LPN?

37-8-102 (5) (a) "Practice of practical nursing" ... Practical nursing uses standardized procedures in the observation and care of the ill, injured and infirm..."

Suturing is not a standardized procedure, and therefore, not within the scope of practice of an LPN.

Adopted November 1999

18. May an adequately trained nurse replace a suprapubic catheter?

37-8-102 (5) (a) "Practice of practical nursing" ... Practical nursing uses standardized procedures in the observation and care of the ill, injured and infirm..."

Replacing a suprapubic catheter is a standardized procedure and therefore, within the scope of practice of an LPN.

Adopted October 2001

19. May a nurse perform an episiotomy?

37-8-102 (5) (a) (b) Practice of Nursing

An episiotomy is a surgical incision. As such, it is not the practice of nursing, and should be done only by an adequately trained and competent nurse midwife.

Adopted October 2001

20. Is the administration of Zoladex within the scope of an RN?

37-8-102 (5) (b) "Practice of Professional Nursing ... The term also includes ... and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths or podiatrists authorized by state law to prescribe medications and treatments."

This procedure is within the scope of a trained and competent RN. Zoladex is a drug used in the treatment of cancer, endometriosis and endometrial ablation.

Adopted July 1998

21. May a nurse empty a hemovac drainage system?

37-8-102 "Practice of Professional Nursing ... The term also includes ... and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths or podiatrists authorized by state law to prescribe medications and treatments."

(5) "Practice of nursing" embraces two classes of nursing service and activity, as follows:

(a) "Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse,

dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.

This is a standardized procedure and within the scope of RN and LPN practice.

Adopted July 1998

22. Is inserting and monitoring a Vasoseal plug within the scope of practice for an RN?

37-8-102 (5) "Practice of nursing" embraces two classes of nursing service and activity, as follows:

- (b) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. As used in this subsection (5)(b):
 - (i) "nursing analysis" is the identification of those client problems for which nursing care is indicated and may include referral to medical or community resources;

- (iv) "nursing intervention" is the implementation of a plan of nursing care necessary to accomplish defined goals.

Placing a collagen plug is within the scope of practice of an adequately trained and competent RN.

Adopted July 1999

23. Is the performance of an amniotic fluid index within the scope of practice for an RN?

37-8-102 (5) "Practice of nursing" embraces two classes of nursing service and activity, as follows:

- (b) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. As used in this subsection (5)(b):
- (i) "nursing analysis" is the identification of those client problems for which nursing care is indicated and may include referral to medical or community resources;

"nursing intervention" is the implementation of a plan of nursing care necessary to accomplish defined goals.

Performing an amniotic fluid index is within the scope of the adequately trained and competent RN.

Adopted November 1998

24. Is removing an intraortic balloon pump within the scope of an RN?

37-8-102 (5) "Practice of nursing" embraces two classes of nursing service and activity, as follows:

- (b) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. As used in this subsection (5)(b):
- (i) "nursing analysis" is the identification of those client problems for which

nursing care is indicated and may include referral to medical or community resources;

"nursing intervention" is the implementation of a plan of nursing care necessary to accomplish defined goals.

This is within the scope of practice of an adequately trained RN.

Adopted November 1998

25. Is it within the scope of an RN to perform flexible sigmoidoscopy; is it within the scope of an adequately trained and competent APRN?

- (b) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. As used in this subsection (5)(b):
 - (i) "nursing analysis" is the identification of those client problems for which nursing care is indicated and may include referral to medical or community resources;

"nursing intervention" is the implementation of a plan of nursing care necessary to accomplish defined goals.

Flexible sigmoidoscopy is an invasive diagnostic examination. As such, it is not within the scope of the LPN or RN, but it may be in the scope of the adequately trained and competent APRN.

Adopted May 2001

26. May an adequately trained LPN who maintains competence apply a cast and remove non-viable tissue resulting from chemical matrixectomy performed by a DPM?

37-8-102 (5) (a) "Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing

practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.

Applying a cast and removing non-viable tissue resulting from chemical matrixectomy are treatments that are in the scope and practice of an adequately trained and competent LPN.

Adopted July 2001

27. May an RN, LPN or APRN take x-rays if they do not hold a separate license from the Board of Radiology? May the RN and LPN may interpret x-rays? May the adequately trained APRN interpret x-rays, if that x-ray interpretation falls within the scope of his/her practice?

37-14-301. "Limitation of license authority -- exemptions. (1) No person may perform x-ray procedures on a person unless licensed or granted a limited permit under this chapter..."

8.32.301 Nurse Practitioner Practice

(1) Nurse practitioner practice means the management of primary health care of individuals, families and communities including the ability to: ..."

By statute the RN, APRN and LPN can not perform the x-rays unless licensed by the Board of Radiology Technicians to do so. The RN and LPN may not interpret an x-ray because they do not have the skills and abilities to perform this type of diagnostic procedure. The adequately trained and competent APRN may interpret an x-ray if it involves a condition which is within the APRN's ability to treat.

Adopted May 2001

28. Does refusing to accept mandatory overtime constitute patient abandonment?

8.32.413 CONDUCT OF NURSES

- (1) Professional conduct for nurses is behavior including acts, knowledge, and practices, which through professional experience, has become established by practicing nurses as conduct which is reasonably necessary for the protection of the public interests.
- (2) Unprofessional conduct, for purposes of defining 37-1-307, MCA, in addition to unprofessional conduct listed at 37-1-136, MCA, the following being unique, is

determined by the board to mean behavior (acts, omissions, knowledge, and practices) which fails to conform to the accepted standards of the nursing profession and which could jeopardize the health and welfare of the people and shall include, but not be limited to, the following:

failing to utilize appropriate judgment in administering safe nursing practice based upon the level of nursing for which the individual is licensed;

(k) intentionally committing any act that adversely affects the physical or psycho-social welfare of the patient;

(n) leaving a nursing assignment without properly notifying appropriate personnel;

8.32.1404 STANDARDS RELATED TO THE REGISTERED NURSE'S RESPONSIBILITIES AS A MEMBER OF THE NURSING PROFESSION

(1) The registered nurse shall:

(b) accept responsibility for individual nursing actions and competence and base practice on validated data;

(k) delegate to another only those nursing measures which that person is prepared or qualified to perform;

(l) supervise others to whom nursing interventions are delegated

8.32.1407 STANDARDS RELATING TO THE LICENSED PRACTICAL NURSE'S RESPONSIBILITIES AS A MEMBER OF THE HEALTH TEAM

The licensed practical nurse shall:

(2) accept responsibility for individual nursing actions and competence;

Opinion: The Board will evaluate any complaint of patient abandonment based on information that the licensed nurse:

*** Accepted responsibility for the nursing care of a patient or a group of patients,**

*** Voluntarily withdrew from caring for the patient or patients with any ongoing nursing care need,**

*** Failed to give reasonable notice to an appropriate person that s/he was withdrawing from caring for the patient(s) so that arrangements could be made for continuation of care,**

*** Failed to report essential information to an appropriate care provider.**

If the Board finds that a licensed nurse has abandoned a patient(s), that nurse will be subject to disciplinary action. The nurse administrator who determines staffing patterns and assignments shares in the responsibility for assuring that staff are able to provide safe and effective care. Staff must be appropriately trained, oriented and utilized. Staff must have the appropriate resources to provide care.

Adopted October 2001

29. May an unlicensed person administer an enema?

37-8-102 (3) "...the administration of medications and treatments as prescribed by a physician, dentists, osteopath or podiatrist authorized by state law to prescribe medications and treatments is the practice of professional and practical nursing."

Administering enemas is the practice of nursing.

Adopted November 1997

30. May a nurse use liquid nitrogen to remove a wart?

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

It is within the scope of practice of a registered nurse to use chemical treatment for the destruction of warts under the supervision of a physician or APRN. The RN is expected to attain and maintain competency in the procedure.

Adopted October 2001

31. May a nurse working in the E.R. take an order from a licensed independent practitioner to issue pre-packaged, properly labeled medications to an E.R. patient for home use when no pharmacy within a 10 miles radius is open and no staff pharmacist is on duty?

"The Board of Nursing joined the Boards of Pharmacy and Medical Examiners to issue a joint position statement which addresses this question. All three board agree that no violation of rule or statute occurs when a licensed independent practitioner gives a nurse an order to issue pre-packaged, properly labeled medications to an E.R. patient for home use when no pharmacy within a ten mile radius is open and no staff pharmacist is on duty. Independent practitioners with prescriptive authority are permitted to dispense drugs in an emergent setting, and may package and label medications for a nurse to hand to a patient under these circumstances. As long as the nurse is not the person who packages and labels the drug for the patient, s/he is in compliance with all applicable statutes and rules."

“It is in the best interest of the patient to begin many medications at the time of the E.R. visit. Unfortunately, the majority of acute care facilities in Montana do not have nighttime pharmacy coverage, and many do not have weekend coverage as well. Pharmacists responsible for medication provision in such facilities should develop a list of potential take-home medications in collaboration with their P and T committee, hospital administration, and staff/E.R. physicians. Quantities and labeling should be agreed upon, and the pharmacist should pre-package the specific medications for potential emergency use. Medications should be properly labeled in childproof containers with expiration date noted. Antibiotics to be reconstituted can be packaged together with a labeled bottle containing the correct amount of water and instructions for reconstitution.”

“Note that proper labeling includes:

- The name, address and phone number of the pharmacy or institution providing the medication
- The name of the prescriber, the patient’s name and date (these may be added at the time of issuance)
- Complete patient directions
- Name, strength and quantity of the drug
- Any applicable auxiliary labels”

“The packaging pharmacist would be well advised to include a counseling sheet with each medication packaged. E.R. staff should extend an offer of counseling by either the prescriber or the pharmacist.”

Adopted October 2001

32. May a nurse practitioner reduce a fracture?

37-1-131 Each board within the department shall:

- (1) set and enforce standards and rules governing the licensing, certification, registration, and conduct of the members of the particular profession or occupation within its jurisdiction;

The treatment of fractures may be divided into three phases: emergency care, definitive treatment and rehabilitation. In the first two phases, the role of the trained, qualified and competent nurse practitioner in the care of the patient with a fracture would include the following:

Emergency Care

Dislocations

If a physician is not promptly available, the NP should attempt reduction of the dislocated joint. Specialist consultation should be obtained and a plan for the definitive care should be established prior to discharge or transfer of patient.

Fractures or Dislocations with Neuro-Vascular Compromise

Following specialty consultation, the NP should reduce malalignment to alleviate neuro-vascular compromise. The patient should then be transferred for definitive care.

Definitive Treatment

The following types of fracture care are not within the scope of practice of a nurse practitioner:

- **Intra-articular fractures**
- **Fracture- dislocations**
- **Displaced or angulated fractures**
- **Open fractures**

Adopted January 2002

33. May an LPN perform microdermabrasion in a supervised setting?

37-8-102 (5) (a) "Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.

It is within the scope of LPN under direct, on-site supervision to perform microdermabrasion with appropriate training and continued competency.

Adopted April 2002

34. Is it within the scope of the RN to administer paralytic agents?

Is it within the scope of an RN to use paralytics and anesthetics during rapid sequence intubation?

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching,

counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

It is within the scope of the RN, with proper training and competency to use paralytic agents ordered by a physician in the ventilated patient.

It is within the scope of practice of an RN to administer paralytic and anesthetics to assist the provider [as defined in 37-8-102 (7)(8)], during rapid sequence intubation.

Adopted July 2002

Adopted April 2004

35. Is it within the scope of a nurse to insert a dual port feeding tube with a stylet (e.g. Dobhoff tube) with the proper training and competency?

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

It is within the scope of a nurse to insert a dual port feeding tube with a stylet with the proper training and competency.

July 2002

36. Is it within the scope of practice for a CRNA to perform lumbar puncture for diagnostic purposes?

8.32.303 NURSE ANESTHETIST PRACTICE (1) Nurse anesthetist practice is the independent and/or collaborative performance of or the assistance in any act involving the determination, preparation, administration or monitoring of any drug used in the administration of anesthesia or related services for surgical and other therapeutic procedures which require the presence of persons educated in the administration of anesthetics.

(2) A nurse anesthetist is authorized to perform procedures delineated in the American association of nurse anesthetists' guidelines for nurse anesthesia practice. Copies of the guidelines may be obtained from the board office.

It is within the scope of practice for a CRNA to perform a lumbar puncture for diagnostic purposes.

January 2003

37.Is it within the scope of practice for a nurse to administer Zolodex?

37-8-102 (5) (a) "Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

It is within the scope of practice of a nurse to administer Zolodex.

August 2003

38.May a nurse teach an unlicensed person to administer IM glucagon without delegating the task?

37-8-102 (5) (a) "Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing

practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

The board believes that educating unlicensed personnel re: diabetic reactions and use of glucagon or other interventions is education and not delegation.

July 2003

39. Is it within the scope of practice of a flight nurse to perform pericardiocentesis?

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

It is within scope of practice of a flight RN who has requisite skills, knowledge and ability to perform pericardiocentesis.

July 2003

40. Is it within the scope of practice of nurses to utilize a vaginal speculum to collect fluids that will determine whether or not the amniotic membrane has ruptured?

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

It is within the scope of practice of specially trained labor & nurses to utilize a vaginal speculum to collect fluids that will assist in assessing whether or not the amniotic membrane has ruptured.

October 2003

41. Is it within the scope of practice of nurses to administer Propofol?

8.32.303 NURSE ANESTHETIST PRACTICE (1) Nurse anesthetist practice is the independent and/or collaborative performance of or the assistance in any act involving the determination, preparation, administration or monitoring of any drug used in the administration of anesthesia or related services for surgical and other therapeutic procedures which require the presence of persons educated in the administration of anesthetics.

(2) A nurse anesthetist is authorized to perform procedures delineated in the American association of nurse anesthetists guidelines for nurse anesthesia practice. Copies of the guidelines may be obtained from the American association of nurse anesthetists, www.aana.com.

Propofol is an anesthetic agent, and only an anesthesia provider may administer anesthesia. The use of Propofol is not within the scope of practice of nurses in nurse monitored conscious sedation. Propofol may be administered by an RN to intubated, ventilated patients in the critical care setting.

October 2003

July 2004 - updated

42. May the LPN adjust anticoagulant dosages based on laboratory findings using a physician approved sliding scale?

37-8-102 (5) (a) "Practice of practical nursing" means the performance for compensation of services requiring basic knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing procedures. Practical nursing practice uses standardized procedures in the observation and care of the ill, injured, and infirm; in the maintenance of health; in action to safeguard life and health; and in the administration of medications and treatments prescribed by a physician, advanced practice registered nurse, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services are performed under the supervision of a registered nurse or a physician, dentist, osteopath, or podiatrist authorized by state law to prescribe medications and treatments. These services may include a charge-nurse capacity in a long-term care facility that provides skilled nursing care or intermediate nursing care, as defined in 50-5-101, under the general supervision of a registered nurse.

The LPN scope of practice includes adjusting doses of Coumadin per sliding scale standing order with RN supervision.

Updated - July 2004

43. May an RN perform an assessment of labor per the Emergency Medical Treatment and Active Labor Act (EMTALA)?

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

An RN may perform an assessment of labor (also known as medical screening exam) if the following conditions are present:

- ❖ **The procedure is outlined in facility bylaws**
- ❖ **The nurse is fully licensed**
- ❖ **The nurse has the documented knowledge, skills and abilities to complete the assessment**
- ❖ **The nurse has a post assessment consultation with an Obstetrics provider**

April 2004

44. Does the scope of nursing practice include marking surgical sites?

37-8-102 (5) "Practice of professional nursing" means the performance for compensation of services requiring substantial specialized knowledge of the biological, physical, behavioral, psychological, and sociological sciences and of nursing theory as a basis for the nursing process. The nursing process is the assessment, nursing analysis, planning, nursing intervention, and evaluation in the promotion and maintenance of health; the prevention, casefinding, and management of illness, injury, or infirmity; and the restoration of optimum function. The term also includes administration, teaching, counseling, supervision, delegation, and evaluation of nursing practice and the administration of medications and treatments prescribed by physicians, advanced practice registered nurses, dentists, osteopaths, or podiatrists authorized by state law to prescribe medications and treatments. Each registered nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered.

The RN scope of practice includes marking the designated site of surgery.

July 2004